



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Health- Podiatric Medical Board

Subject of possible rule making: New Sections to chapter 246-922 WAC. The Podiatric Medical Board (Board) is creating rules on the administration of sedation and anesthesia in the offices of podiatric physicians. The rulemaking may include necessary training and equipment requirements for podiatric physicians to perform office-based surgery.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.22.015; RCW 18.130.050; ESHB 1414 (2007)

Reasons why rules on this subject may be needed and what they might accomplish: Currently there is no direct regulation of office-based surgery by podiatrists in Washington. ESHB 1414 (Chapter 273, Laws of 2007) requires the board to adopt rules governing the administration of sedation and anesthesia in the offices of podiatric physicians, including necessary training and equipment. Rules are needed to reduce the risk of substandard care, inappropriate anesthesia, infections, and serious complications by podiatric physicians when performing office-based surgeries. The rules will establish enforceable standards for the board to take action against a podiatric physician if unprofessional conduct occurs.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

The Board will be coordinating its rules development with the Medical Quality Assurance Commission (MQAC), Board of Osteopathic Medicine and Surgery (BOMS), and Nursing Care Quality Assurance Commission, to include nurse anesthetists (ARNP). MQAC and BOMS are considering similar rules on office-based surgery.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
☐ Pilot rule making
☐ Agency study
☒ Other (describe) Collaborative rulemaking.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Staff will coordinate workshops with the other two professions. The Board will provide several opportunities at regular meetings to provide input directly to the board members. The Board will notify interested parties and organizations that have expressed interest in this issue by Listserv or regular mail. Stakeholders may also submit written comments for consideration to: Arlene Robertson, Program Manager, PO Box 47866, Olympia, WA 98504-7866; Ph: (360) 236-4945; FAX (360) 236-2406; email: arlene.robertson@doh.wa.gov

DATE

07-30-07

NAME (TYPE OR PRINT)

Blake Marsh Maryella E. Jansen

SIGNATURE

Maryella E. Jansen

TITLE Deputy
Executive Director

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